

immediately preceding the judge's death. Provision would be made for a judge to participate in the survivor's benefit plan if the judge marries after leaving the bench. The financial contribution of judges would be changed to reflect the same contribution made by judges who participate in the United States Court of Federal Claims survivor annuity program.

#### *Senate bill*

The Senate bill contained no similar provision.

#### *Conference agreement*

The Senate recedes.

#### LIMITATION ON ACTIVITIES OF RETIRED JUDGES (SEC. 1024)

#### *Current law*

There is no provision in title 38, United States Code, limiting the activities of retired judges.

#### *House bill*

The House bill (H.R. 2280, section 406) would provide for limitation of the activities of retired judges who are recall eligible.

#### *Senate bill*

The Senate bill contained no similar provision.

#### *Conference agreement*

The Senate recedes.

#### SUBTITLE C—ROTATION OF SERVICE OF JUDGES AS CHIEF JUDGE OF THE COURT

#### *Current law*

The Chief Judge is appointed for a term of 15 years. Section 7254(d) of title 38, United States Code, provides that in the event of a vacancy, the associate judge senior in service shall serve as "acting" Chief Judge unless the President designates another judge to so serve.

#### *House bill*

The House bill contained no similar provision.

#### *Senate bill*

The Senate bill contained no similar provision.

#### *Conference agreement*

The bill would implement a policy that eliminates the requirement of a separate appointment to the Chief Judge position. Instead, the Chief Judge would be the most senior judge in regular active service on the Court. In the event that two eligible judges had the same seniority in commission, the judge senior in age would be selected.

This person would serve as Chief Judge for five years and then the next most senior judge would rotate into the position. This provision is modeled on the provision for the Chief Judge for the United States Court of Appeals for the Armed Forces. The conference agreement also eliminates the salary distinction between the Chief Judge and the other judges.

#### LEGISLATIVE PROVISIONS NOT ADOPTED AUTHORITY TO PRESCRIBE RULES AND REGULATIONS

#### *Current law*

There is no general authority for the Court to prescribe rules and regulations to carry out the provisions of chapter 72 of title 38, United States Code. The Court has specific authority to promulgate rules concerning the filing of complaints with respect to judicial conduct and rules of practice and procedures governing proceedings before the Court.

#### *House bill*

The House bill (H.R. 2280, section 401) would provide for the Court to promulgate

rules and regulations to carry out chapter 72 of title 38, United States Code.

#### *Senate bill*

The Senate bill contained no provision.

#### CALCULATION OF YEARS OF SERVICE

#### *Current law*

Title 38, United States Code, is silent as to the calculation of years of service for purposes of retirement.

#### *House bill*

The House bill (H.R. 2280, section 403) would treat 183 days or more of service on the Court as a full year for purposes of retirement.

#### *Senate bill*

The Senate bill contained no similar provision.

#### TITLE XI—VOLUNTARY SEPARATION INCENTIVE PROGRAMS

#### *Current law*

VA does not currently have the authority to offer voluntary separation incentives.

#### *House bill*

The House bill contained no provision.

#### *Senate bill*

The Senate bill contained no provision.

#### *Conference agreement*

The conference agreement provides authority to VA for one year to offer voluntary separation incentives to a limited number of FTEE.

BOB STUMP,  
CHRIS SMITH,  
JACK QUINN,  
CLIFF STEARNS,  
LANE EVANS,  
CORRINE BROWN,  
MIKE DOYLE,

*Managers on the Part of the House.*

ARLEN SPECTER,  
STROM THURMOND,  
JAY ROCKEFELLER,

*Managers on the Part of the Senate.*

#### NO INTERNET TAXATION

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, our country and even our world economy have experienced unprecedented growth thanks to a new frontier we know as the Internet. It has been a tremendous success.

The moratorium that we have established has allowed e-commerce to flourish and grow at tremendous rates. Yet we are already hearing rumblings of a new user fee regime of taxation on electronic commerce that could have serious repercussions for this booming segment of our economy.

Mr. Speaker, we have seen, without Internet taxes, State and local governments are collecting record tax revenues, growing at almost twice the rate of inflation. In fact, the rise of untaxed electronic commerce is helping to generate additional tax revenue for every level of government because the Internet has helped create new businesses and new high-paying jobs. By extending the moratorium established under the Internet Tax Freedom Act of 1998,

we can keep the Internet free of discriminatory taxes.

Let us not ruin a good thing. Let us make the moratorium permanent and see this unprecedented growth continue.

#### FOREIGN POLICY DEFICIENCIES

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, let me make sure I understand this. While he was in Istanbul yesterday, President Clinton called on Turkey to correct its human rights abuses so it could be admitted into the European Union. Yet at the same time that our President was admonishing Turkey, our U.S. Trade Representative was in Beijing signing a trade deal that could one day give the People's Republic of China membership in the World Trade Organization.

Are we to infer that the Kurds in Turkey count for more than Tibetans in China or that Greek Cypriots count for more than Chinese Christians or that the European Union is a more exclusive and principled organization than the World Trade Organization?

Or, this could not be it, could it? Are American corporations more involved with bigger investments and have more at stake in China than they are in Turkey? Does that explain why Time Warner's CEO recently gave Chinese President Jiang Zemin a bust of Abraham Lincoln?

Earlier this year we fought a war for human rights in Kosovo. Today we will not raise a tariff for human rights in China.

#### NO TAXES ON MINING INDUSTRY

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, recently Vice President AL GORE announced a scheme to impose a new \$2 billion tax on the mining industry. At a time when America's mining industry has been crippled and forced to lay off thousands of employees, the Vice President now wants to impose a new \$2 billion tax that will only serve as a death knell for this industry.

It appears that Mr. GORE's motto is that when the good guy is down, let us pick his pocket. There is always a dollar or two left somewhere.

Mr. Speaker, the U.S. mining industry provides America with the resources that allow us to enjoy the standard and quality of life we need and respect today. Now the Vice President wants to jeopardize the future of America, our economy, and this vital industry by oppressing it with a \$2 billion tax in order to fund his political agenda.